

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

WAUKEEN SPRAGGINS,

Plaintiff,

v.

MARK MARSKE,

Defendant.

ORDER

Case No. 18-cv-689-wmc

Plaintiff Waukeen Spraggins a prisoner at the Federal Correctional Institution in Oxford, Wisconsin has filed a request for emergency injunction. Before the court can entertain a motion for injunctive relief from plaintiff, however, plaintiff will have to file a complaint setting out facts underlying his claim that he is entitled to relief in this court. In addition, plaintiff will have to either pay the \$400 civil filing fee or seek leave to proceed without prepayment of the filing fee.

A motion for leave to proceed without prepayment of the filing fee must be accompanied by a certified copy of plaintiff's trust fund account statement (or institutional equivalent) for the six-month period immediately preceding the date of the complaint. 28 U.S.C. § 1915(a)(2). If I find that plaintiff is indigent, I will calculate an initial partial payment amount that must be paid before the court can screen the merits of the complaint and consider his motion for injunctive relief. Thereafter, plaintiff will be required to pay the balance of the filing fee in installments. To assist plaintiff in filing a complaint, this court's forms for filing a civil complaint and motion requesting to proceed without prepayment of the filing fee are included with this order.

ORDER

IT IS ORDERED that plaintiff Waukeen Spraggins may have until September 14, 2018 to submit a formal complaint along with the \$400 filing fee or a motion for leave to proceed without prepayment and a trust fund account statement for the period beginning approximately February 21, 2018 and ending approximately August 21, 2018. If, by September 14, 2018, plaintiff fails to respond to this order, I will assume that he wishes to withdraw this action voluntarily. In that event, the case will be closed without prejudice to plaintiff filing the case at a later date.

Entered this 23rd day of August, 2018.

BY THE COURT:

/s/

PETER OPPENEER
Magistrate Judge

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WAUKEEN SPRAGGINS,

Plaintiff,

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**PRISONER REQUEST TO PROCEED IN DISTRICT COURT
WITHOUT PREPAYING THE FULL FILING FEE**

Answer the following questions to the best of your ability.

Note: If you do not tell the truth, the court may dismiss your lawsuit.

I. Personal Information

1) Your name: _____

(a) State the place of your incarceration and provide your prisoner identification number:

_____ (place) _____ (number)

(b) Are you employed at the institution? ☐ Yes ☐ No

(c) Do you receive any payment from the institution? ☐ Yes ☐ No

Attach a printout of your prison trust account statement showing transactions for the six-month period immediately preceding the filing of this request and showing the current balance of your account.

2) Do you have any dependents that you are responsible for supporting?

☐ Yes ☐ No

If "yes," list them below.

<u>Name or initials (for minor children only)</u>	<u>Relationship to You</u>	<u>Age</u>	<u>Amount of Support Provided per Month</u>
_____	_____	_____	\$ _____
_____	_____	_____	\$ _____
_____	_____	_____	\$ _____

II. Property or Assets: - If you are married, your answers must *include your spouse's property*.

1) Do you own a car?

☐ Yes ☐ No

If "yes," list the car(s) below:

<u>Make and Model</u>	<u>Year</u>	<u>Approximate Current Value</u>
_____	_____	\$ _____
_____	_____	\$ _____

2) Do you own your home(s)? ☐ Yes ☐ No

If "Yes," state the approximate value(s). \$ _____

What is the amount of equity (assessed value of residence minus outstanding mortgage balance) in the home(s)? \$ _____

3) Do you have any cash or checking, savings, or other similar accounts?

☐ Yes ☐ No

If "Yes," state the total of such sums. \$ _____

4) Do you own any other property of value, such as real estate, stocks, bonds, trusts, or individual retirement accounts (e.g., IRA, 401 k), artwork, or jewelry?

☐ Yes ☐ No

If "Yes," describe the property and the approximate value(s).

III. Litigation History

For each federal lawsuit that you recall having filed, list as much of the following information that you remember about each case: The name of the case (that is, the plaintiffs and the defendants), the case number or year of filing, and the federal district in which you filed the case. Use more paper if needed.

Case Name (Plaintiffs and defendants)	Case number (or year of filing)	Federal district
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

IV. Other Circumstances - Describe any other financial circumstance(s) that you would like the court to consider when reviewing this petition.

I, _____, declare that I am the plaintiff bringing this complaint. I declare that I am unable to prepay the full filing fee and that I am entitled to the relief sought in the complaint.

Date

Signature - Signed Under Penalty of Perjury